

SUBCHAPTER E—ORGANIZATION

PART 385—STAFF ASSIGNMENTS AND REVIEW OF ACTION UNDER ASSIGNMENTS

Subpart A—General Provisions

Sec.

- 385.1 Definitions.
- 385.2 Applicability.
- 385.3 Scope of staff action.
- 385.4 Form of staff action.
- 385.5 Procedures prescribed in other regulations.
- 385.6 Referral to the Reviewing Official.
- 385.7 Exercise of authority by superiors.
- 385.8 Exercise of authority in “acting” capacity.

Subpart B—Assignment of Functions to Staff Members

- 385.10 Authority of Chief Administrative Law Judge, Office of Hearings.
- 385.11 Authority of the Administrative Law Judges, Office of Hearings.
- 385.12 Authority of the Director, Office of Aviation Analysis.
- 385.13 Authority of the Director, Office of International Aviation.
- 385.14 Authority of the General Counsel.
- 385.15 Authority of the Deputy General Counsel.
- 385.16 Heads of Offices and Assistant General Counsels.
- 385.17 Authority of the Assistant General Counsel for Regulation and Enforcement.
- 385.18 Authority of the Chief, Coordination Section, Documentary Services Division.
- 385.19 Authority of the Director, Office of Aviation Information, Bureau of Transportation Statistics.
- 385.20 Authority of the Inspector General.
- 385.21 Authority of the Chief, Accounting Division, Office of Budget and Policy, Federal Transit Administration.

Subpart C—Procedure on Review of Staff Action

- 385.30 Persons who may petition for review.
- 385.31 Petitions for review.
- 385.32 Effective date of staff action.
- 385.33 Review by the staff.
- 385.34 Decision by the Reviewing Official.

AUTHORITY: 49 U.S.C. Subtitle I, Chapters 401, 411, 413, 415, 417.

SOURCE: Docket No. T-1, 49 FR 50985, Dec. 31, 1984, unless otherwise noted.

Subpart A—General Provisions

§ 385.1 Definitions.

Department means Department of Transportation.

Petition for review means a petition asking the appropriate Reviewing Official to exercise his or her discretionary right of review of staff action.

Precedent means applicable judicial decisions and decisions by the Department, or by the Board where consistent with Department policy.

Reviewing Official means the Assistant Secretary for Aviation and International Affairs, the General Counsel, or the Director of the Bureau of Transportation Statistics, as appropriate to the subject matter under review, but not with regard to Deputy General Counsel and Administrative Law Judge decisions made under this part.

Staff action means the exercise of a function under Subparts I, II and IV of Subtitle VII of Title 49 of the United States Code (Transportation) by a staff member pursuant to assignment under this part.

Staff members means officers and employees of the Department who are assigned authority under this part.

Statute means Subtitle VII of Title 49 of the United States Code (Transportation).

[Docket No. T-1, 49 FR 50985, Dec. 31, 1984, as amended by Amdt. 1-261, 59 FR 10061, Mar. 3, 1994; 60 FR 66726, Dec. 26, 1995; Doc. No. OST-96-1268, 61 FR 19167, May 1, 1996]

§ 385.2 Applicability.

This part describes the organization of the Department insofar as, pursuant to authority conferred on it by section 40113 of the Statute, the Department has adopted rules herein or elsewhere which make continuing assignments of authority with respect to any of its functions of making orders or other determinations, many of which are not required to be made on an evidentiary record upon notice and hearing or which are not the subject of contest, and Department personnel have been assigned to perform such functions.